

1 Chad C. Butterfield, Esq.
2 Nevada Bar No. 010532
2 Rachel L. Wise, Esq.
Nevada Bar No. 012303

3 **WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP**

4 300 South Fourth Street, 11th Floor
Las Vegas, Nevada 89101
(702) 727-1400; FAX (702) 727-1401
chad.buttefield@wilsonelser.com
5 Attorneys for Defendant Acuity,
6 A Mutual Insurance Company

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 LOUIS DeSALVIO, an individual,

10 Plaintiff,

11 v.

12 ACUITY, A MUTUAL INSURANCE
COMPANY; DOES 1 through 10 and ROE
Business Entities 1 through 10, inclusive,

13 Defendants.

14 Case No: 2:19-cv-02013-GMN-BNW

15 **STIPULATION AND ORDER TO
EXTEND THE DEADLINE FOR
DEFENDANT TO ITS FILE (1) REPLY IN
SUPPORT OF MOTION FOR PARTIAL
DISMISSAL OF PLAINTIFF'S
COMPLAINT AND (2) OPPOSITION TO
PLAINTIFF'S COUNTER-MOTION FOR
LEAVE TO FILE AN AMENDED
COMPLAINT**

16 **(Third Request)**

17 Defendant, Acuity, and Plaintiff, Louis DeSalvio, by and through the parties' respective
18 counsel, stipulate and agree that the deadline for Acuity to file (1) its Reply in Support of Motion for
19 Partial Dismissal [ECF No. 5] and (2) file an Opposition to Plaintiff's Motion for Leave to File an
20 Amended Complaint [ECF No. 12], shall be extended from May 15, 2020, [ECF No. 14] to June 5,
21 2020.

22 This stipulation is submitted in compliance with LR IA 6-1. Good cause exists for the
23 requested extensions as the parties are currently discussing and negotiating the potential dismissal of
24 this action in favor of binding arbitration. The 702Firm Injury Attorneys ("The 702Firm") was
25 recently retained by Plaintiff. The 702Firm also seeks additional time to retain and review Plaintiff's
26 medical records. The 702Firm has experienced difficulty in contacting the medical providers in light
27 of the outbreak of a new coronavirus termed SARS-CoV-2 (Severe Acute Respiratory Syndrome
28 Coronavirus-2). The parties are unable to enter into a meaningful negotiation until The 702Firm has

1 an opportunity to review and assess medical records. The parties agree that the requested extension
2 is not being requested in bad faith or to delay these proceedings unnecessarily. This is the parties'
3 third request for an extension of the deadline.

4 Dated 14th day of May, 2020

5 Dated 14th day of May, 2020

6 **WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP**

7 **THE 702FIRM INJURY ATTORNEYS**

8 /s/ Rachel L. Wise
9 Rachel L. Wise, Esq.
Nevada Bar No. 12303
*Attorneys for Defendant Acuity,
A Mutual Insurance Company*

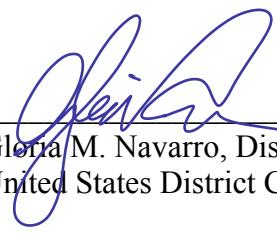
10 /s/ Richard A. Englemann
Michael C. Kane, Esq.
Nevada Bar No. 10096
Bradley J. Myers, Esq.
Nevada Bar No. 8857
Richard A. Englemann, Esq.
Nevada Bar No. 6965

11 **MALCOLM P. LAVERGNE &
ASSOCIATES**
12 Malcolm P. LaVergne, Esq.
Nevada Bar No. 10121
Attorneys for Plaintiff

13 **ORDER**

14 **IT IS SO ORDERED.**

15 Dated this 14 day of May, 2020.

16 
17 Gloria M. Navarro, District Judge
18 United States District Court